IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.4085 OF 2004
IN
CRIMINAL APPEAL NO.1137 OF 2004

Shri Prakash Singh Ramjor Singh ....Applicant.

v/s

1. The Inspector of Police Sahar
Police Station and Anr. ....Respondent.

Mr. Rishi Bhuta for the applicant.

Mr. D.P. Adsule, APP for the respondent - State.

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CORAM: V.M.KANADE,J.
DATE: 30th November, 2004

P.C.

1. Heard the learned Counsel appearing on behalf of the applicant and the learned APP for the respondent - State.

2. Applicant, initially, was charged under section 302 read with section 34 of the Indian Penal Code. Prosecution's case is that the applicant fired one shot from his country made shot-gun on the deceased as a result of which the deceased succumbed to injuries and died. The Trial Court, however, convicted him under section 307 of the Indian Penal Code and sentenced him to suffer R.I. for seven years. Though it is true that the applicant is in jail since 22/6/2000, however, the fact remains that from the evidence on record it can be seen that, prima facie,

the prosecution has proved the case against him.

3. In my view this is not a fit case for grant of bail. Hearing of the appeal is expedited. Liberty to the applicant to prepare a private paper-book and apply for a fixed date of hearing.

V.M. KANADE, J.